



Educational Consortium for
Telecommunications Savings

Received & Inspected

DEC - 4 2015

FCC Mail Room

December 1, 2015

**Appeal of Administrator's Decision on Appeal – Funding Year 2015-2016
October 21, 2015**

Sent to

FCC, Office of the Secretary
445 12th Street SW
Washington, DC 20554
CC Docket No. 02-6

Contact Information

Robert Beck
Education Consortium
790 Newtown-Yardley Road, Suite 410
Newtown, PA 18940
267-352-0137 (voice)
215-504-5047 (fax)
rbeck@eratespecialist.org

Basis for Appeal

Decision on Appeal – Trion City SD (GA)
95 Center Street
Trion, GA 30753
BEN 127407

Funding Year 2015-2016
471 Application Number 1008282

Appealing the funding amount for FRN 2737224

Request

This is a timely appeal regarding the funding award for FRN 2737224 – requesting that it be increased from \$287 to \$1000/month.

I am authorized by the school district to submit this appeal, and am the contact person on the original application.

No. of Copies rec'd 0
List ABCDE

Explanation

After the FCDL had been issued for this application, the service provider pointed out that we had made a Ministerial & Clerical (M&C) error in listing the monthly cost for this their service. On their monthly invoice, the cost of their service is divided into two components of \$276 and \$725 per month, and we only requested funding for the \$276/month amount. See invoice attached. Per the M&C error description, we had failed to enter an item from the source list (the service provider invoice) onto the application.

Conclusions

If you summarize the Administrator's Denial Decision, it states that we should have made this M&C correction during the review stage. We acknowledge that fact, and we would have made the correction had we known of the error.

We respectfully request that the Denial on Appeal be reversed and that the funding for the Internet service be increased to the full \$1000/month for these reasons:

- It is an allowable M&C correction to the expense of an eligible service
- The service itself (broadband Internet access) is an integral part of the FCC's new emphasis for broadband Internet access to school districts

The amount of funding lost is approximately \$6,300 (\$750/month for 12 months at a 70% e-rate discount). This adversely affects this school, and since it is within the spirit and intent of the E-rate program to fund a school to the maximum entitled extent, we are requesting that this additional monthly funding be added to FRN 2737224.

Thank you for your consideration.

Robert Beck
Education Consortium



E-Rate Contact for Trion City SD

Certified Mail – Return Receipt # 7015 0640 0004 2248 9721

Authorized person information

Dr Phil Williams – Superintendent – 706-734-2363

Attachments: USAC Administrator's Denial of Appeal Letter dated October 21, 2015
USAC Appeal Letter dated July 14, 2015 with associated correspondence
FCDL – dated May 21, 2015



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2015-2016

October 21, 2015

Robert Beck
Educational Consortium for Telecommunications Savings
790 Newtown-Yardley Road
Suite 410
Newtown, PA 18940

Re: Applicant Name: TRION CITY SCHOOL DISTRICT
Billed Entity Number: 127407
Form 471 Application Number: 1008282
Funding Request Number(s): 2737224
Your Correspondence Dated: July 14, 2015

After review of the information and documentation provided, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's funding commitment decision for the FCC Form 471 Application Number and funding requests number(s) FRN(s)) referenced above. This letter provides an explanation for USAC's decision. The date of this letter also begins the sixty (60) day time period for appealing this decision. If your Letter of Appeal included more than one FCC Form 471 Application Number, please note that you will receive a separate decision for each funding application.

Funding Request Number(s): 2737224

Decision on Appeal: **Denied**

Explanation:

- During appeal review of your FCC Form 471 application number 1008282 you requested to increase the amount of funds approved under FRN 2737224. Program procedures allow applicants to amend their applications and correct ministerial and clerical errors on their FCC Forms (including adding a funding request) until a Funding Commitment Decision Letter (FCDL) is issued. Increases in funding requests cannot be submitted through the appeals process and after the issuance of the FCDL. Consequently, USAC denies your appeal.
- Your appeal requests additional funds that were not included in the FCC Form 471 that you are appealing. FCC rules require that funding requests must be submitted via an FCC Form 471. See 47 C.F.R. sec. 54.504(a). Considerations

for funding requests depend on the date the FCC Form 471 is received and the amount of funds available if it is received after the close of the filing window. *See* 47 C.F.R. sec. 54.507(f). The FCC directed USAC to allow applicants to amend their forms to correct clerical and ministerial errors on their FCC Forms 470, FCC Form 471 applications, or associated documentation until an FCDL is issued. Such errors include only the kinds of errors that a typist might make when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetic error. *See* Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Order, FCC 11-60 para. 5 (rel. April 14, 2011). Additional correctable errors can be found in the FCC Order DA 10-2354. *See* Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools, Ann Arbor, Michigan, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-542873, et al., CC Docket No. 02-6, Order, DA 10-2354 para. 2 (rel. December 16, 2010).

- The FCC's Bishop Perry Order directed USAC "to provide all E-rate applicants with an opportunity to correct ministerial and clerical errors on their FCC Form 470 or FCC Form 471, and an additional opportunity to file the required certifications" without posting new FCC Forms 470 and 471. *See* Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, New Orleans, Louisiana, et al., Schools and Libraries Universal Service Mechanism, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316-5317, FCC 06-54 para. 23 (May 19, 2006) (Bishop Perry Order). As a result, USAC sends an applicant a Receipt Acknowledgement Letter (RAL) when the FCC Form 471 has been successfully data entered and provides the applicant with an opportunity to make allowable corrections to its FCC Form 471. *See* Ministerial & Clerical Errors posted in the Reference Area of the SLD section of the USAC website. Per the FCC's directive, applicants should be allowed to amend their forms to correct clerical and ministerial errors until a Funding Commitment Decision Letter (FCDL) is issued. Such errors include only the kinds of errors that a typist might make when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetic error. *See* Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Order, FCC 11-60 para. 5 (rel. April 14, 2011). Additional correctable errors can be found in the FCC Order DA 10-2354. *See* Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools, Ann Arbor, Michigan, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-542873, et al., CC Docket No. 02-6, Order, DA 10-2354 para. 2 (rel. December 16, 2010). An applicant's request to remove entities from its application, when such removal would raise the average discount percentage for the relevant funding request above the funding threshold for that year, is not justifiable as a ministerial or clerical error. *See* Request for Waiver and Review of Decisions of the Universal Service Administrator by Alexander County School District, Taylorsville, North Carolina, et al., Schools and Libraries Universal Service Support Mechanism, File

No. SLD-827833 et al., CC Docket No. 02-6, Order, DA 13-1383 para. 2 (rel. June 14, 2013).

If you wish to appeal this decision, you may file an appeal pursuant to 47 C.F.R. Part 54, Subpart I. Detailed instructions for filing appeals are available at:
<http://www.usac.org/sl/about/program-integrity/appeals.aspx>.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Dr. Phil Williams

Robert Beck
Educational Consortium for Telecommunications
Savings
790 Newtown-Yardley Road
Suite 410
Newtown, PA 18940

Billed Entity Number: 127407
Form 471 Application Number: 1008282
Form 486 Application Number:



Educational Consortium for
Telecommunications Savings

July 14, 2015

Appeal of FCDL Award – FY 2015-2016

Sent to

Letter of Appeal
Schools & Libraries Division – Correspondence Unit
30 Lanidex Plaza West
P.O. Box 685
Parsippany, NJ 07504-0685

Contact Information

Robert Beck
Education Consortium
790 Newtown-Yardley Road, Suite 410
Newtown, PA 18940
267-352-0137 (voice)
215-504-5047 (fax)
rbeck@eratespecialist.org

Basis for Appeal

Funding amount award for Trion City SD (GA)
239 Simmons Street
Trion, GA 30753
BEN 127407

Funding Year 2015-2016
471 Application Number 1008282
FRN 2737224

Appealing of Funding Amount for Internet Access

Request

This is a timely appeal of the funding amount for the school's 50 Mb Internet access service. We are asking that the amount be increased because a clerical error excluded part of the charges.

I am authorized by the school district to submit this appeal, and am the contact person on the original application.

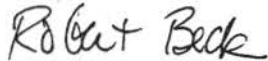
Explanation

We're the e-rate consultants for the Trion City SD and for FY 2015-2016 we had submitted the request for 50 Mb Internet access service at a rate of \$288/month. After the application had been reviewed and funded, the service provider contacted us and pointed out that there are actually two parts to this monthly expense, and we had missed a larger amount. Per the invoice copy, attached, he pointed out that the actual cost is a combination of $\$280 + \$720 = \$1000/\text{month}$.

Conclusion

This is an allowable clerical error correction that we would have modified with the Receipt Acknowledgement Letter had we realized the error at that time. Now that the service provider has alerted us to the issue, we request that funding be increased to \$1000/month for the 50 Mb service.

Thank you.



Robert Beck
Education Consortium
E-Rate Contact for Trion City SD
Certified Mail – Return Receipt # 7010 0290 0003 3634 9917

Authorized person information

Dr Phillip Williams – Superintendent (706-734-2363)

Attachments:

- FCDL dated May 21, 2015
- Service provider invoice

FRN 2737224

(2 PAGES)

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TRION CITY SCHOOL DISTRICT
18 BULLDOG BLVD
TRION, GA 30753 -1452

Due: Sun, Jul 5, 2015**Total: \$288.40**

Invoice# 1011746 Customer# 01000240

Date 6/17/2015

Remit to:
PARKER FIBERNET, LLC
P.O. BOX 688
SUMMERVILLE, GA 30747 0000

For billing questions,
 please call 706-857-4646 or 800-872-7537
 or fax to 706-857-4463

You can also email pfnbiling@parkersystems.net

Summary

Balance Information	
Previous Balance	288.40
Payments Received - Thank you!	(288.40)
Balance Forward	
New Charges	
Recurring Charges	4,030.00
Taxes and Surcharges	8.40
Discounts	(3,750.00)
Total New Charges	288.40
Total Amount Due	288.40

Payments

Description	Date	Amount
Payment Received, Thank you!	5/26/15	(288.40)
Subtotal		(288.40)

Credits

Description	Start	End	Amount
Credit - DARK FIBER	6/20/15	7/19/15	(1,500.00)
Credit - DARK FIBER	6/20/15	7/19/15	(1,500.00)
Credit - DARK FIBER	6/20/15	7/19/15	(750.00)
Subtotal			(3,750.00)

Recurring Charges

FIELD HOUSE: Circuit ID: PFN.1000240.01
18 BULLDOG BLVD TRION, GA 30753-1452

Description	Start	End	Amount
DARK FIBER	6/20/15	7/19/15	1,500.00
Subtotal			\$1,500.00

MAIN LOCATION: Circuit ID: AVFN201220029
919 ALLGOOD ST TRION, GA 30753-1237

Description	Start	End	Amount
50 MEGS DEDICATED INTERNET	6/20/15	7/19/15	280.00

Subtotal **\$280.00**

MAIN OFFICE: Circuit ID: PFN.1000240.02
239 SIMMONS ST TRION, GA 30753-1237

Description	Start	End	Amount
DARK FIBER	6/20/15	7/19/15	1,500.00
Subtotal			\$1,500.00

PRESS BOX: Circuit ID: PFN.01000240.03
25 BULLDOG BLVD TRION, GA 30753-1452

Description	Start	End	Amount
DARK FIBER	6/20/15	7/19/15	750.00
Subtotal			\$750.00

Taxes and Surcharges

Franchise Fee	8.40
Subtotal	\$8.40



USAC TRION SCHOOLS
239 SIMMONS ST
TRION, GA 30753 -1237

Due: Sun, Jul 5, 2015

Total: \$741.60

Invoice# 1011747 Customer# 01000241

Date 6/17/2015

Remit to:
PARKER FIBERNET, LLC
P.O. BOX 688
SUMMERVILLE, GA 30747 0000

For billing questions,
please call 706-857-4646 or 800-872-7537
or fax to 706-857-4463

You can also email pfnbilling@parkersystems.net

Summary

Balance Information	
Previous Balance	741.60
Payments Received - Thank you!	(741.60)
Balance Forward	
New Charges	
Recurring Charges	720.00
Taxes and Surcharges	21.60
Total New Charges	741.60
Total Amount Due	741.60

Payments

Description	Date	Amount
Payment Received, Thank you!	5/28/15	(741.60)
Subtotal		(741.60)

Recurring Charges

Circuit ID: AVFN201220029.U
239 SIMMONS ST TRION, GA 30753-1237

Description	Start	End	Amount
50 MEGS DEDICATED INTERNET	6/20/15	7/19/15	720.00
Subtotal			\$720.00

Taxes and Surcharges

Franchise Fee	21.60
Subtotal	\$21.60

50 mbs internet
\$ 280. -
720. -
\$ 1000. -



Schools and Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2015: 07/01/2015 - 06/30/2016)

May 21, 2015

Robert Beck
TRION CITY SCHOOL DISTRICT
790 Newtown-Yardley Road, Suite 410
Newtown, PA 18940

Re: FCC Form 471 Application Number: 1008282
Billed Entity Number (BEN): 127407
Billed Entity FCC Registration Number (FCC RN): 0011880945
Nickname: 2015 TrionCityRDB

Thank you for your Funding Year 2015 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the FCC Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$16,915.92 is "Approved."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation and Children's Internet Protection Act and Technology Plan Certification Form. A guide that provides a definition for each line of the Report is available in the Guide to USAC Letter Reports in the Reference Area of our website.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full.
- Review Children's Internet Protection Act (CIPA) requirements.
- File FCC Form 486.
- Invoice USAC using the FCC Form 474, Service Provider Invoice (SPI) Form, or FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form, as products and services are being delivered and billed.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., FCDL) and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,
 - Applicant BEN and Service Provider Identification Number (SPIN),
 - FCC Form 471 Application Number 1008282 and the Funding Request Number (FRN) or Numbers as assigned by USAC,
 - "Funding Commitment Decision Letter for Funding Year 2015," AND
 - The exact text of the decision that you are appealing.

Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685
Visit us online at: www.usac.org/sl



3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org or submit your appeal electronically by using the "Submit a Question" feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, please see "Appeals" in the Schools and Libraries section of the USAC website.

OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must bill the applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to Disposal or Trade-in of Equipment posted in the Reference Area of our website for more information.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
Billed Entity Name: TRION CITY SCHOOL DISTRICT
BEN: 127407
Funding Year: 2015

Comment on RAL corrections:
The applicant did not submit any RAL corrections.

FCC Form 471 Application Number: 1008282
Funding Request Number: 2737209
Funding Status: Funded
Service Type: Voice Services
FCC Form 470 Application Number: 471840001253611
SPIN: 143025240
Service Provider Name: AT&T Mobility
Contract Number: MTM
Billing Account Number: 990628549
Service Start Date: 07/01/2015
Service End Date: 06/30/2016
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number:
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$2,036.64
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$2,036.64
Discount Percentage Approved by the USAC: 50%
Funding Commitment Decision: \$1,018.32 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The amount of the funding request was changed from \$220/month to \$169.72/month to remove: the ineligible services of data service and messaging.

FCDL Date: 05/21/2015
Wave Number: 001
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2016
Consultant Name: Robert Beck
Consultant Registration Number (CRN): 16024807
Consultant Employer: Educational Consortium for Telecom Savings

FUNDING COMMITMENT REPORT
Billed Entity Name: TRION CITY SCHOOL DISTRICT
BEN: 127407
Funding Year: 2015

Comment on RAL corrections:
The applicant did not submit any RAL corrections.

FCC Form 471 Application Number: 1008282
Funding Request Number: 2737216
Funding Status: Funded
Service Type: Voice Services
FCC Form 470 Application Number: 471840001253611
SPIN: 143030766
Service Provider Name: Windstream Communications, LLC
Contract Number: MTM
Billing Account Number: 070076839
Service Start Date: 07/01/2015
Service End Date: 06/30/2016
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number:
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$26,100.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$26,100.00
Discount Percentage Approved by the USAC: 50%
Funding Commitment Decision: \$13,050.00 - FRN approved as submitted

FCDL Date: 05/21/2015
Wave Number: 001
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2016
Consultant Name: Robert Beck
Consultant Registration Number (CRN): 16024807
Consultant Employer: Educational Consortium for Telecom Savings

FUNDING COMMITMENT REPORT
Billed Entity Name: TRION CITY SCHOOL DISTRICT
BEN: 127407
Funding Year: 2015

Comment on RAL corrections:
The applicant did not submit any RAL corrections.

FCC Form 471 Application Number: 1008282
Funding Request Number: 2737218
Funding Status: Funded
Service Type: Telecommunications Service
FCC Form 470 Application Number: 471840001253611
SPIN: 143030766
Service Provider Name: Windstream Communications, LLC
Contract Number: MTM
Billing Account Number: 070076839
Service Start Date: 07/01/2015
Service End Date: 06/30/2016
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number:
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$600.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$600.00
Discount Percentage Approved by the USAC: 70%
Funding Commitment Decision: \$420.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The category of service was changed from
INTERNET ACCESS to TELECOMM SERVICES in accordance with Program rules.

FCDL Date: 05/21/2015
Wave Number: 001
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2016
Consultant Name: Robert Beck
Consultant Registration Number (CRN): 16024807
Consultant Employer: Educational Consortium for Telecom Savings

FUNDING COMMITMENT REPORT
Billed Entity Name: TRION CITY SCHOOL DISTRICT
BEN: 127407
Funding Year: 2015

Comment on RAL corrections:
The applicant did not submit any RAL corrections.

FCC Form 471 Application Number: 1008282
Funding Request Number: 2737224
Funding Status: Funded
Service Type: Internet Access
FCC Form 470 Application Number: 471840001253611
SPIN: 143031443
Service Provider Name: Parker FiberNet, LLC
Contract Number: MTM
Billing Account Number: N/A
Service Start Date: 07/01/2015
Service End Date: 06/30/2016
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number:
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$3,468.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$3,468.00
Discount Percentage Approved by the USAC: 70%
Funding Commitment Decision: \$2,427.60 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The Purpose for FRN Line Item 1 was modified from Transport and Internet to Internet to agree with the applicant documentation.

* FRN UNDER
APPEAL

FCDL Date: 05/21/2015
Wave Number: 001
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2016
Consultant Name: Robert Beck
Consultant Registration Number (CRN): 16024807
Consultant Employer: Educational Consortium for Telecom Savings